UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NEW YORK		
UNITED STATES OF AMERICA,	X :	
CIVILED STITLES OF TRIVERIES.	:	
- V	:	No. 09-CR-0185 (ARR)
	:	
	:	
ELIYAHU EZAGUI,	:	AFFIRMATION
	:	
	:	
Defendant.	:	
	X	

AFFIRMATION OF JOHN C. MERINGOLO

- I, John C. Meringolo, hereby affirm:
- 1. That I am a duly licensed Attorney at Law, appearing as counsel of record to ELIYAHU EZAGUI in the criminal case pending in the Eastern District of New York, entitled *United States v. Ezagui*, No. 09-CR-185 (ARR).
- 2. That I am informed and believe, based on discussions with the Government as well as a review of the records and files in this case, including the Indictment, that my withdrawal from the case can be accomplished without any materially adverse effect on the interests of my client as the Rules of Professional Conduct dictate.
- 3. That the grounds for my request to withdraw, namely the fundamental differences that exist between Mr. Ezagui and me as to the strategy to follow in this case, is enough to warrant the Court's permission to withdraw at this juncture.
- 4. That I have notified both Mr. Ezagui and the Court of my intent to withdraw and the reasons thereof. Moreover, the client has also been notified of my readiness to provide him with all documents in my possession relating to the case, as well as a copy of the request being made herein.

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5. That I have sent a letter to Mr. Ezagui confirming my intention to withdraw, and the

need for him to retain new counsel.

I declare under penalty of perjury based on my information and belief that the above is true and

correct.

Executed this 29th day of May, 2009, in Brooklyn, New York.

/s/ John C. Meringolo, Esq.

John Meringolo (JM 3487) Meringolo & Associates, P.C. 116 West 23rd Street, Suite 5100 New York, New York 10011 Phone (347) 599-0992